IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL APPLICATION NO.733 OF 2004
IN
CRIMINAL APPLICATION NO.1446 OF 2005

State of Maharashtra Applicant

Vs.

Vinod Sevaram Sharma @ Lambu & ors. Respondents

Mr.V.B.Konde-Deshmukh, APP for State.

CORAM: B.H.MARLAPALLE & SMT.R.S.DALVI,JJ.

January 20, 2006.

P.C.

. Heard Mr.Konde-Deshmukh, the learned APP. The State has filed an appeal against the order of acquittal passed by the learned Addl. Sessions Judge, Greater Mumbai in Sessions Case No.1387 of 1998 but belatedly and hence this application for condonation of delay.

. As per the office note the delay caused is of 249 days. Accused no.5 has been served but none appears for him whereas accused Nos.1 to 4 are not traceable and, therefore, the notice could not be served.

. We are satisfied that the explanation furnishing in this application makes out a good case

to condone the delay and hence the delay is condoned

and the application is allowed accordingly.

(SMT.R.S.DALVI,J.) (B.H.MARLAPALLE,J.)